The Arts and Technology Academy

REQUEST FOR PROPOSAL

The Arts and Technology Academy invite proposals for Pre-plated meals service for the National School Lunch and Breakfast Programs for The Arts and Technology Academy, Washington D.C.

Proposals are to be received at The Arts and Technology Academy. to the attention of the Director of Business and Operations, Monica Allen, at 5300 Blaine Street, NE, Washington, DC 20019 on **August 01, 2006**, and not later than, 5:00 PM, at which time they will be privately opened and read. Bid specifications may be obtained by contacting Monica Allen, Director of Business and Operations, tel. 202.398.6811 ext. 5205.

THE CESAR CHAVEZ PUBLIC CHARTER SCHOOLS FOR PUBLIC POLICY

NOTICE FOR SOLICITATION OF PROPOSALS TO PROVIDE EMPLOYEE INSURANCE AND BENEFITS

The Cesar Chavez Public Charter Schools for Public Policy, in accordance with section 2204 (c) (1) (A) of the DC School Reform Act of 1995 (Public Law 104-134), hereby solicits proposals to provide health insurance, dental insurance, and other employee benefits.

The Cesar Chavez Public Charter Schools will receive bids from July 28, 2006 to COB August 8, 2006 Attn: Christy Gill, 709 12th Street, SE, Washington, D.C. 20003. All necessary forms and a full RFP may be obtained by calling 202-547-3975.

BOARD FOR THE CONDEMNATION OF INSANITARY BUILDINGS

NOTICE OF PUBLIC INTEREST

BUILDINGS CONDEMNED	<u>LOT</u>	SQUARE	<u>WD</u>
Northwest			
419 Columbia Road	132	3050	1
5109 Connecticut Avenue	48	1989	3
5109 Connecticut Avenue-Rear	48	1989	3
1735 Crestwood Dr.	12	2633	4
412 Delafield Place	175	3251	4
410 Florida Avenue	40	507	5
1461 Florida Avenue	147	2660	1
1333 Gallatin Street-Rear	17	2805	4
3003 Georgia Avenue	111	3052	· 1
3919 Georgia Avenue	35	3027	4
3919 Georgia Avenue-Rear (Shed)	35	3027	4
4607 Georgia Avenue	16	3015	4
4609 Georgia Avenue	17	3015	4
4613 Georgia Avenue-Rear	19	3015	4
5407 Georgia Avenue	51	2996	4
616 Irving Street	146	3052	1
1301 Kalmia Road	1	2771	4
4907 Kansas Avenue	77	3252	4
4841 Kansas Avenue	60	3215	4
641 Keefer Place	19	3041	1
440 Kenyon Street	43	3049	1
709 Kenyon Street	806	2892	1
416 Luray Place-Rear	77	3044	1
1000 M Street	57	341	2
1006 M Street	51	341	2
1824 Monroe Street	813	2614	1
3642 New Hampshire Avenue	32	2898	1
1625 New Jersey Avenue	804	509E	5
1320 North Capitol Street	154	617	5
1424 North Capitol Street	10	616	5
1426 North Capitol Street	836	616	5
86 O Street	201	617	5 5 2
405 O Street	802	511	
509 O Street	479	2001/2002	2
304 P Street	27	553W	2 5 2
605 P Street	154	445	2
1429 Parkwood Place	62	2688	1
1433 Parkwood Place	64	2688	1
1428 Perry Place	29	2688	1

BUILDINGS CONDEMNED	<u>LOT</u>	SQUARE	<u>WD</u>
Northwest (Cont'd)			
1427 Q Street	9	208	2
750 Quebec Place	201	3031	1
1001 Quebec Place	63	2902	4
936 Quincy Street	92	2901	4
3620 RCC Road	121	2831	1
423 Shepherd Street	38	3238	4
423 Shepherd Street-Rear	38	3238	. 4
815 T Street	23	393	1
333 U Street	21	3086	1
901 U Street	100	360	2
1361 U Street	805	236	1
613 Upshur Street	72	3226	. 4
613 Upshur Street-Rear	72	3226	4
2023 Vermont Avenue	87	360	1
215 Whittier Street-Rear	820	3363	4
1329 Wisconsin Avenue	68	1232	2
1333 1 st Street	193	617	5
1401 1 st Street	814	616	5
1821 1 st Street	137	3110	5
1837 1 st Street	126	3110	5 2 5
1202 3 rd Street	837	523	2
1506 3 rd Street	818	521	
1859 3 rd Street	810	3096	1
1209 4th Street	810	523	6
1211 4 th Street	502	2026	6
1221 4 th Street	848	523	2
1417 5 th Street	54	511	2 2
1425 5 th Street	511	817	
1427 5 th Street	818	511	2
1905 8th Street	802	416	1
1905 8 th Street -Rear	802	416	1
1301 9 th Street	801	399	2
1303 9th Street	62	399	2 2 2
1305 9th Street	63	399	2
1307 9th Street	803	399	2
1309 9th Street	804	399	2
1822 9 th Street	242	362	1
4523 9th Street	46	3017	4
2006 10th Street	69	332	1
1715 11th Street	10	335	2
2232 11th Street	70	302	1
3007 11th Street	99	2851	1
3600 13 th Street	65	2828	1
3600 13 th Street-Rear	65	2828	1

BUILDINGS CONDEMNED	<u>LOT</u>	SQUARE	$\underline{\mathbf{W}}\underline{\mathbf{D}}$	
Northwest (Cont'd)				
5113 13 th Street-Rear	19	2929	4	
5713 13 th Street-Rear	51	2935	4	
5749 13 th Street-Rear	58/818	2935	4	
2208 14 th Street	30	202	1	
3405 14 th Street	115	2836	1	
3431 14 th Street	133	2836	1	
3509 14 th Street	53	2827S	1	
4024 14 th Street	53	2694	4	
3350 17 th Street	93	2612	i	
3350 17 th Street-Rear	93	2612	ī	
3222 19 th Street	817	2604	1	
3222 19 th Street-Rear	817	2604		
5209 14th Street	105	2804	4	
	100	2001	•	
BUILDINGS CONDEMNED	<u>LOT</u>	SQUARE	<u>WD</u>	
Northeast				
1033-39 Bladensburg Road	807	4473	5	
314R Bryant Street	76	3555	5	
3027 Channing Street	54	4360	5	
837 Florida Avenue	63	908	6	
907 Florida Avenue	803	961N	6	
1369 Florida Avenue-Rear	129	1026	6	
1653 Gales Street	182	4550	6	
1655 Gales Street	183	4550	6	
2001-R Gales St-Rear #1	800	4525	7	
2001-R Gales St-Rear #2	800	4525	7	
2001-R Gales St-Rear #3	800	4525	7	
2001-R Gales St-Rear #4	800	4525	7	
2001-R Gales St-Rear #5	800	4525	7	
2001-R Gales St-Rear #6	800	4525	- 7	
2001-R Gales St-Rear #7	800	4525	7	
2001-R Gales St-Rear #8	800	4525	7	
2001-R Gales St-Rear #9	800	4525	7	
2001-R Gales St-Rear #10	800	4525	7	
1209 Holbrook Street	37	4072	5	
1002 Irving Street	812	3877	5	
1511 Isherwood Street	176	4544	6	
303 K Street	804	775	6	
1753 L Street	104	4474	5	
1704 Lawrence Street-Rear	29	4146	5	
4502 Lee Street	148	5155	7	
5119 Lee Street	38	5200	7	

BUILDINGS CONDEMNED	LOT	SQUARE	<u>WD</u>
Northeast (Cont'd)			
1800 M Street	124	4445	5
1227 Meigs Place	106	4055	5
1405 Montello Avenue	28	4060	5
1410 Montello Avenue	809	4059	5
1414 Montello Avenue	807	4059	5
5706 NHB Avenue	10	5214	7
1309 North Carolina Avenue	115	1035	6
1243 Owen Place	188	4060	5
2509 Rhode Island Avenue-Rear	820	4314	5
115 Riggs Road	85	3701	5
3610 South Dakota Avenue	33	4224	
3610 South Dakota Avenue-Rear	33	4224	5 5
1741 Trinidad Avenue	26	4082	5
415 W Street	41	3601	5
514 3 rd Street	54	754	6
1811 3 rd Street	7	3570	5
1248 4 th Street	802	3587	5
2410R 4 th Street-Rear	59	3555	5
2416R 4 th Street- Rear	75	3555	5
612 5 th Street-Rear	68	810	6
935 5 th Street	52	0831	6
819 8 th Street	28	911	6
214 15 th Street	106	1055	6
3300 18 th Street	19	4143	5
4310 22 nd Street	12	4232	5
3721 30 th Place	814	4304E	5
1322 45 th Place	25	5120	
1136 47 th Place	137	5155	7
1202 47 th Place	60	5160	7
1227 47 th Place	39	5160	7
1017 48 th Street	10	5153	7
1055 48th Street	98	5153	7
1023 50th Street-Rear (North Shed)	803	5200	7
109 53 rd Street	91	5243	7
311 55 th Street	78	5250	7
244 60 th Street-Rear (Shed)	65	5273	7
BUILDINGS CONDEMNED	<u>LOT</u>	SQUARE	<u>WD</u>
Southeast			
1523 A Street	816	1072	6
1751 A Street	63	1097	6
1751 A Street-Rear	63	₹1097	6
5019 A Street	5	5327	7
5019 A Street-Rear (Shed)	5	5327	7

BUILDINGS CONDEMNED	<u>LOT</u>	SQUARE	<u>WD</u>
Southeast			
5055 A Street	14	5327	7
20 Bass Circle	12	5345	7
5010 Benning Road	68	5340	7
5032 Benning Road	37	5340	7
3401 Brothers Place	803	6006	8
4915 C Street	28 .	5336	7
5201 C Street	9	5312	7
4926 Call Place	33	5336	7
4930 Call Place	32	5336	7
5000 Call Place	35	5323	7
1107 D Street	50	992	6
3213 Dubois Place	38	5430	7
627 E Street-Rear	842	877	6
3118 E Street	807	5440	7
3326 Ely Place	807	5444	6
647 G Street	139	878	6
3009 G Street	807	5480	7
1239 Goodhope Road	89	3033	8
1220 Mapleview Place	811	5800	8
1909 Martin Luther King Jr	829	5770	8
1911 Martin Luther King Jr	829	5770	- 8
1913 Martin Luther King Jr	829	5770	8
2228 Martin Luther King Jr	810	5802	8
2234 Martin Luther King Jr	811	5802	8
2238 Martin Luther King Jr	978	5802	8
2629 Martin Luther King Jr-East	192	5867	8
2629 Martin Luther King Jr-West	192	5867	8
2759 Martin Luther King JrRear	802	5982	8
917 New Jersey Avenue	15	738	6
919 New Jersey Avenue	16	738	6
921 New Jersey Avenue	17	738	6
923 New Jersey Avenue	18	738	6
2241 Prout Street	803	5561	8
1620 South Capitol Street	808	0708	6
1008 South Carolina Avenue	23	970 5065	6
1225 Sumner Road	980	5865	8
821 Virginia Avenue	6	929	6
1242 W Street	99	5782 5782	8
1708 W Street	154	5778	8
1118 1 st Street	60 50	743N	6
1122 1 st Street	58	743N	6
4010 3 rd Street	806	6167	8
4014 3 rd Street	804	6167	8
3020 7 th Street	50	5953	8

BUILDINGS CONDEMNED	<u>LOT</u>	SQUARE	<u>WD</u>
Southeast (Cont'd)			
3009 8th Street	814	5953	8
3009 8th Street -Rear	814	5953	8
102 9th Street	801	943	6
911 12th Street	19	969	6
BUILDINGS CONDEMNED	<u>LOT</u>	SQUARE	<u>WD</u>
Southwest			
78 Darrington Street-Rear	23	6223S	8
71 Forrester Street	67	6240	.8
157 Forrester Street	803	6240	8
10 N Street	60	653	6

DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS

Certification of Filling a Vacancy
In Advisory Neighborhood Commission

Pursuant to D.C. Official Code §1-309.06 (d)(6)(G) and the resolution transmitted to the District of Columbia Board of Elections and Ethics ("Board") from the affected Advisory Neighborhood Commission, the Board hereby certifies that a vacancy has been filled in the following single-member district by the individual listed below:

David Halley Single Member District 2E06

District of Columbia Department of Health Administration for HIV Policy and Programs

NOTICE OF FUNDING AVAILABILITY

2007 HIV Prevention Interventions and Services Grant

The Government of the District of Columbia, Department of Health, Administration for HIV Policy and Programs is soliciting applications from qualified organizations located and licensed to conduct business within the District of Columbia to provide a variety of HIV prevention services for residents of the District of Columbia.

A total of \$1,750,000 will be available in FY 2007. All awards will be based on the availability of local funds appropriated to the District of Columbia, Department of Health, Administration for HIV Policy and Programs. Services under the FY 2007 HIV Prevention Interventions and Services program include: HIV prevention services outreach and education programs that target youth of color, women of color and men of color living at-risk of, or living with HIV/AIDS; and services for the East of the River HIV/AIDS Initiative.

The Request for Applications (RFA) will be available for pick up at 64 New York Avenue, NE, 5th Floor, on July 28, 2006 and on the following website <u>www.opgd.dc.gov</u> under District Grants Clearinghouse.

The Request for Application (RFA) submission deadline is no later than 5:00 p.m. on August 28, 2006. Applications must be delivered to 64 New York Avenue, NE, 5th Floor, Suite 5001 and all applications will be recorded upon receipt. Applications submitted at or after 5:01 p.m., August 28, 2006. will not be forwarded to the review panel for funding consideration. Any additions or deletions to an application will not be accepted after the deadline of 5:00 p.m. August 28, 2006. A Pre-Applications Conference will be held August 3, 2006 from 2:00 p.m. to 4:00 p.m., at 64 New York Ave, N.E., Washington, DC in the Administration for HIV Policy and Programs 5th Floor Conference Room.

Leo Rennie Administration for HIV Policy and Programs 64 New York Ave. N.E. Suite#5001 Washington, DC 20002

Phone: (202) 671-4900 Fax: (202) 671-4860

Email: leo.rennie@dc.gov

DISTRICT OF COLLIMBIA REGISTERIPP DC Public Charter School

Request for Construction Management Services ("CM")

Issued: July 18, 2006

I. INTRODUCTION

KIPP DC schools are based on the successful model known as KIPP- Knowledge is Power Program – and is part of the KIPP Network of Schools. There are currently 48 KIPP schools operating throughout the United States. Founded in the summer of 2001, KIPP DC currently has two middle school campuses and plans to continue growing until it reaches five campuses in the District.

This innovative and academically rigorous college preparatory program provides students in Southeast Washington, DC a foundation of knowledge and skills necessary for success in school and life through an intensive curriculum in core academic subjects. The KIPP DC program also emphasizes learning through extracurricular activities including sports and performing arts.

More information can be found at www.kippdc.org.

KIPP DC is soliciting proposals for construction management services for phase 1 of a campus master plan including an elementary school, a middle school, a high school, and a gymnasium in Southeast Washington DC. Phase 1 includes the Elementary School and gym (the "Project").

II. PROJECT DESCRIPTION

KIPP DC is considering establishing a campus headquarters serving preschool through high school students. The Project is expected to be broken into two phases: Phase I will include the elementary school and gym, and Phase II will include the middle school and possibly a high school on an adjacent lot. The total program for the elementary and middle school is currently estimated in the range of 98,000 gross square feet, including the gym. The Elementary School and gym for Phase I are estimated in the range of 58,000 SF. Initial studies for Phase I suggest a 3 story building with a basement and a separate gym at a total construction cost in the range of \$12M.

Design of Phase I has just begun, with occupancy of the building targeted for August 2007. The delivery method will include preconstruction services leading to a form of cost plus contract. KIPP will have an Owner's Representative through design and construction.

III. SCOPE OF WORK

The contract will be based on the provisions of an AIA Document. The appropriate document will be determined as the project develops.

Various preconstruction services will include the following:

DISTRICT OF COLUMBIA REGISTER

- Cost estimating at each design milestone
- Memos at similar milestones with input regarding constructability, material selection, and existing conditions
- Preliminary construction site staging plans
- Development and maintenance of a critical path schedule.

By a determined date and mutually agreeable milestone, a Guaranteed Maximum Price ("GMP") is to be officially presented to the Academy and if the parties cannot agree on the GMP, the preconstruction services will be compensated, the contract terminated, and the GMP bid opened to the public.

IV. PRE-QUALIFICATION

The Bidder must have prior experience in construction management-at-risk and in construction of lower, middle, and high schools in accordance with applicable codes, standards, rules, and regulations in the District of Columbia.

V. FORM OF PROPOSAL

Proposals must consist of the following information in the order indicated below:

- Cover letter:
- o Statement of interest in the Project
- o Identification of the point of contact for this RFP process with telephone number and email address
 - Signature of a duly authorized principal;
 - Firm profile:
 - o Age
 - o History
 - o Firm size (staffing by discipline) currently and one year ago
 - o Current firm workload projected over the next two years
 - o Estimated maximum bonding capacity
 - o LSDBE certification and/or initiatives:
 - Proposed team:
- o Organization chart with names and titles for key participants and the expected internal and external reporting lines
 - o Resumes of key personnel for the Project, their proposed roles, and availability; **Previous work and references:**

Descriptions of up to five projects that best illustrate the proposed team's experience and capabilities with building elementary, middle, and high schools in the District of Columbia, providing preconstruction services, and/or achieving effective value for modest construction cost.

For each project, please provide all of the following information in a consistent format:

- o Project name, client name, phone number, location, enrollment
- o Gross square feet of new construction
- o Gross square feet of renovation
- o General program elements
- o Bidder personnel involved
- o Targeted and actual opening date
- o Budgeted and actual construction cost
- Any measured LSDBE involvement if in DC;
- Approach to the Construction Schedule:

DISTRICT OF COLUMBIA REGISTER

Description of approach to scheduling construction of the school to open by August 2007. Please provide a response as a summary Gantt chart with an accompanying text outlining various issues and solutions for the Owner to consider.

Fees:

- o Draft list of expected general conditions expenses and estimated total
- o Proposed fee for preconstruction services
- Proposed fee for construction services.

VI. SUBMISSION OF PROPOSAL

Submission packages shall be sent electronically to Brad Noyes:

- by email to bnoyes@facilityplanners.com (4MB maximum)
- or by fax 202-289-6461.

Submission of bound copies is optional and can be sent to: Brailsford & Dunlavey 1140 Connecticut Avenue NW, Suite 400 Washington, DC 20036 Attention: Mr. Brad Noyes

Proposals are due on or before noon on Monday August 7, 2006.

The selection will be based on the completeness and on the quality of the content of the Proposal. No modifications to Proposals once submitted will be considered unless requested in writing.

The Owner reserves the right to waive irregularities and the right to reject any Proposals at any point during the selection process.

The Owner also reserves the right to approve all sub consultants, subcontractors, and team members.

VII. SELECTION SCHEDULE

RFP distribution Tuesday July 18, 2006
Submission deadline Monday August 7, 2006 noon

Notification of shortlist for interviews Wednesday August 9, 2006

Interviews, if necessary Wednesday August 16, 2006 (to be confirmed)

Note that the contract will not be effective until reviewed and approved by the District of Columbia Public Charter School Board.

VIII. QUESTIONS

Please address your questions concerning this RFP to the Owner's single point of contact:

Brad Noyes Brailsford & Dunlavey Phone: 202.289.4455 Fax: 202.289.6461

Email: bnoyes@facilityplanners.com

DISTRICT OF COLUMBIA PUBLIC LIBRARY

NOTICE TO THE PUBLIC

NOTICE OF CHANGE OF LOCATION & DATE OF DCPL BOARD OF LIBRARY TRUSTEES MEETING

Notice is hereby given that the regularly scheduled District of Columbia Public Library ("DCPL") Board of Library Trustees Meeting of Wednesday, July 12, 2006 has been rescheduled to Wednesday, August 09, 2006 at 6:00 p.m. This meeting will be held at the Chevy Chase Branch Library, at 5625 Connecticut Avenue, N.W., Washington, D.C. 20015. The telephone number for the Chevy Chase Branch Library is (202) 282-0021 if there are any questions.

STATE EDUCATION OFFICE NOTICE OF FUNDING AVAILABILITY

The State Education Office, on behalf of the Executive Office of the Mayor, announces a Notice of Funding Availability (NOFA). Eligible entities may apply for up to one million dollars through the City Build Incentive Grant program (City Build). The State Education Office expects to award two to five grants. The grant awards will be for a period of two years from the date of the award and will not exceed three years.

City Build is a joint education and community development initiative that promotes neighborhood revitalization with a particular emphasis on strengthening public charter schools. The aim of City Build stretches beyond excellence in academics; it is a focus on promoting strategic neighborhoods, encouraging community development, attracting and retaining residents, and creating partnerships between charter schools and community organizations through the creation of community schools.

Eligibility

- A public charter school board of trustees, holding a valid District of Columbia charter, with enrolled District of Columbia students; or
- A District of Columbia-based non-profit or for-profit organization, partnering with a public charter school, and directly benefiting that school.

Application Due Date

The Request for Application (RFA) was released on July 24, 2006, and the deadline for submission is August 25, 2006, by 5:00 p.m. The RFA may be obtained from the following:

The State Education Office 441 4th Street, NW, Suite 350 North Washington, DC 20001 http://seo.dc.gov/seo/site/default.asp

For further information, please contact:

Kendrinna Rodriguez
Director, Office of Public Charter School Financing and Support
State Education Office
202-727-8807
kendrinna.rodriguez@dc.gov

GOVERNMENT OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

Application No. 17483 of RLA Redevelopment Corporation, pursuant 11 DCMR § 3103.2, for variances from the residential recreation space requirements under section 773, and a variance from the loading berth requirements under subsection 2201.1, to allow the construction of a new mixed-use (residential/retail) building in the C-2-B District at premises 1414 Belmont Street, N.W. (Square 2660, Lot 235).

HEARING DATE:

June 6, 2006 and June 27, 2006

DECISION DATE:

July 11, 2006

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 1B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1B, which is automatically a party to this application. ANC 1B submitted a report in support of the application. The Office of Planning (OP) also submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board required the applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance pursuant to 11 DCMR §§ 3103.2. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the ANC and the Office of Planning reports filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, (773 and 2201) that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BZA APPLICATION NO. 17483 PAGE NO. 2

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE:

5-0-0

(Curtis L. Etherly, Jr., Ruthanne G. Miller, and Geoffrey H. Griffis to grant; Carol Mitten and John A. Mann II to grant by absentee vote)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: JUL 14 2006

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 <u>ET SEQ.</u>, (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL

BZA APPLICATION NO. 17483 PAGE NO. 3

APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

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GOVERNMENT OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

Application No. 17484 of SharCon Hospitality of D.C., Inc. on behalf of Suton, LLC, pursuant to 11 DCMR § 3103.2, for a variance from the maximum height of buildings provisions under section 840, and a variance from the minimum number and size of loading berths and platforms under section 2201, to construct a five (5) story Holiday Inn Express on Parcel A and a Five (5) story Fairfield Inn & Suites on Parcel B, in the C-M-1 District at premises 1917 Bladensburg Road, N.E. (Square 4393, Lots 815 and 821).

HEARING DATE:

June 20, 2006

DECISION DATE:

July 11, 2006

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 5B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5B, which is automatically a party to this application. ANC 5B submitted a report in support of the application. The Office of Planning (OP) also submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance pursuant to 11 DCMR §§ 3103.2. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the ANC and the Office of Planning reports filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, (840 and 2201) that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BZA APPLICATION NO. 17484 PAGE NO. 2

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE:

4-0-1

(Geoffrey H. Griffis, Ruthanne G. Miller, Curtis L. Etherly, Jr. and Michael G. Turnbull to grant; John A. Mann II to deny by absentee vote)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

ATTESTED BY:

JERRILY R. KRESS, FAIA

Director, Office of Zoning

JUL 14 2006

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	DATE OF ORDER:	
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UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

BZA APPLICATION NO. 17484 PAGE NO. 3

D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION. DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION. HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

TWR

GOVERNMENT OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

Application No. 17494 of Montello Avenue GP, pursuant to 11 DCMR § 3103.2, for variances from the lot area and lot width requirements under subsection 401.3, to allow the construction of a single-family row dwelling in the R-4 District at premises 1325 Montello Avenue, N.E. (Square 4063, Lot 800).

HEARING DATE:

July 18, 2006

DECISION DATE:

July 18, 2006 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 5B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5B, which is automatically a party to this application. ANC 5B did not submit a written report or participate in this application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3102.2, for a variance from §401. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the Office of Planning report filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, (401) that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and

BZA APPLICATION NO. 17494 PAGE NO. 2

conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**, **SUBJECT** to the **CONDITION** that construction shall be in accordance with plans marked as Exhibit No. 21 of the record.

VOTE:

5-0-0 (Geoffrey H. Griffis, Curtis L. Etherly, Jr. Michael G. Turnbull, Ruthanne G. Miller and John A. Mann II to approve).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: JUL 19 2006

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

PURSUANT TO 11 DCMR § 3205, FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART, SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

BZA APPLICATION NO. 17494 PAGE NO. 3

D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY MATRICULATION. POLITICAL RESPONSIBILITIES. AFFILIATION. DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

TWR

GOVERNMENT OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

Application No. 17499 of Debra A. Gustowski, pursuant to 11 DCMR § 3104.1, for a special exception to allow a rear addition to an existing single-family semi-detached dwelling under section 223, not meeting the side yard requirements (section 405), in the R-1-B District at premises 2924 33rd Place, N.W. (Square 2118, Lot 46).

HEARING DATE:

July 18, 2006

DECISION DATE:

July 18, 2006 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 3C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3C, which is automatically a party to this application. ANC 3C submitted a report in support of the application. The Office of Planning (OP) also submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under section 223. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by

findings of fact and conclusions of law. It is therefore ORDERED that this application be GRANTED.

VOTE:

5-0-0 (Geoffrey H. Griffis, John A. Mann II, Curtis L. Etherly, Jr., Ruthanne G. Miller and Michael G. Turnbull to approve.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: July 19, 2006

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT

BZA APPLICATION NO. 17499 PAGE NO. 3

DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, **FAMILY** RESPONSIBILITIES, MATRICULATION, **POLITICAL** AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

GOVERNMENT OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

Application No. 17500 of Yigal Rappaport, pursuant to 11 DCMR § 3103.2, for a variance from the minimum lot area requirements under subsection 401.3, to allow the conversion of an existing flat (two-family dwelling) into a three unit apartment building in the R-4 District at premises 1633 13th Street, N.W. (Square 277, Lot 7).

HEARING DATE:

July 17, 2006

DECISION DATE:

July 17, 2006 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2F and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2F, which is automatically a party to this application. ANC 2F did not participate in the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board required the applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance pursuant to 11 DCMR §§ 3103.2. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the Office of Planning report filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2 and 401.3, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE:

5-0-0

(Geoffrey H. Griffis, Michael G. Turnbull, Curtis L. Etherly, Jr., Ruthanne G. Miller and John A. Mann II to grant).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: July 19, 2006

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

ZONING COMMISSION NOTICE OF FILING Case No. 02-50A (PUD Modification – Square 1935, Lot 817) July 17, 2006

THIS CASE IS OF INTEREST TO ANC 3C

On July 14, 2006, the Office of Zoning received an application from St. Luke's Condominiums, LLC (the "applicant") for approval of a modification to the PUD approved in Z.C. Order No. 02-50 for the above-referenced property.

The property that is the subject of this application consists of Square 1935, Lot 817 in Northwest Washington, D.C. (Ward 3) and is located at 2501 Wisconsin Avenue, N.W.

The original PUD approval was for construction of a residential project that included 44 for-sale residential units in a building that had a measured building height of 40 feet, included approximately 85,000 square feet of gross floor area, and provided 104 total parking spaces (two parking spaces were to be conveyed with each residential unit and 16 spaces were to be reserved for guests). THE PUD project was built pursuant to Z.C. Order No. 02-50. The applicant is requesting a modification to the previously approved PUD to obtain approval of certain modifications to the building's façade and the structures on the roof. There will be no change in the size or height of the building or the number of residential units provided. This request is not inconsistent with the Comprehensive Plan of the District of Columbia.

For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

ZONING COMMISSION NOTICE OF FILING Case No. 06-35 (Consolidated PUD – Square 24, Lots 109 & 883)

July 17, 2006

THIS CASE IS OF INTEREST TO ANC 2A

On July 11, 2006, the Office of Zoning received an application from CESC 1229-1231 TRS, Inc. and CESC 1227 LLC (collectively, the "applicant") for approval of a consolidated PUD for the above-referenced property.

The property that is the subject of this application consists of Square 24, Lots 109 and 883 in Northwest Washington, D.C. (Ward 2) and is located at 1227-1231 25th Street, N.W. The property is currently zoned CR.

The applicant proposes to expand the building at 1229-1231 25th Street, N.W. and convert it to residential use, and expand the building at 1227 25th Street, N.W. for continued office use. The total project will create approximately 190-240 new residential units and approximately 143,333 square feet of office space. The total gross floor area included in the proposed PUD is approximately 459,163 square feet for a total FAR of approximately 6.1. Both buildings will measure 110 feet tall and will include a total of 334 parking spaces. This request is not inconsistent with the Comprehensive Plan of the District of Columbia.

For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA Z.C. ORDER NO. 05-18

Z.C. Case No. 05-18

(Consolidated Planned Unit Development and Related Zoning Map Amendment Hope 7 Monroe St. LP, 1020 Monroe Street, N.W.) April 20, 2006

Pursuant to notice, the Zoning Commission for the District of Columbia (the "Commission") held a public hearing on January 23, 2006, to consider an application from Hope 7, Inc. (the "Applicant") for consolidated review and approval of a planned unit development and a related amendment to the zoning map. The Commission considered the application pursuant to Chapters 24 and 30 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR"). The public hearing was conducted in accordance with the provisions of 11 DCMR § 3022. For the reasons stated below, the Zoning Commission hereby approves the application.

FINDINGS OF FACT

The Application, Parties, and Hearing

- 1. On June 21, 2005, Hope 7, Inc., on behalf of Hope 7 Monroe Street Limited Partnership, filed an application with the Zoning Commission for the consolidated review and approval of a planned unit development ("PUD") for the property located at the southeast corner of 11th and Monroe Streets, N.W., consisting of Lot 820 in Square 2840 ("PUD Site").
- 2. On July 11, 2005, the Commission decided to set down the application for hearing. After proper notice, the Commission opened the public hearing on November 21, 2005. The Commission decided to continue the hearing to January 23, 2006 so that the Applicant could incorporate a zoning map amendment to the Application. The parties in the case were the Applicant and Advisory Neighborhood Commission ("ANC") 1A, the boundaries of which include the PUD Site.
- 3. At the conclusion of the hearing on the PUD application on January 23, 2006, the Commission requested the submission of certain additional materials and information by the Applicant. The additional materials requested by the Commission at the hearing included the following:

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- a) A detailed circulation plan;
- b) Samples of materials to be used in the project;
- c) Floor plans showing affordable housing units;
- d) Documents regarding affordable housing, such as an affordable housing agreement;
- e) Specified information regarding monetary donations to the Harriet Tubman Elementary School and Keely's District Boxing and Youth Center, including when the contributions would be made and how the contributions would be spent; and
- f) Specified information regarding the lease of office space to ANC 1A.
- 4. At its public meeting held February 23, 2006, the Zoning Commission took proposed action by a vote of 3-0-2 to approve the application subject to certain conditions.
- 5. The proposed action of the Zoning Commission was referred to the National Capital Planning Commission ("NCPC") pursuant to § 492 of the District Charter. NCPC, by action dated February 24, 2006, found the proposed PUD would not affect the federal establishment or other federal interests in the National Capital, nor be inconsistent with the Comprehensive Plan for the National Capital.
- 6. The Zoning Commission took final action to approve the application on April 20, 2006 by a vote of 3-0 -2.

The PUD Site and the Area

- 7. The subject property has a land area of approximately 11,910 square feet. The site is currently zoned C-2-A, designated for low- and medium-density commercial and residential development, respectively, which allows for a maximum density of 2.5 FAR and a maximum building height of 50 feet as a matter of right, and 3.0 FAR and 65 feet with a PUD.
- 8. The PUD Site is a slightly irregular trapezoid in shape. The subject property currently contains a four story mixed-use building.
- 9. The Applicant requested a zone change from C-2-A to C-3-A as part of the application, because the proposed building will exceed the bulk limits of the C-2-A zone, although the proposed height of the building could be accomplished within the 65-foot height limit allowed in C-2-A with a PUD.

- 10. The subject property is situated in Ward 1 in the Columbia Heights neighborhood of Northwest Washington, D.C. The land use context in this section of the Columbia Heights neighborhood is predominantly residential. The PUD Site is located at the northernmost point of a C-2-A zone district that spans three blocks along 11th Street, N.W. The bulk of the area surrounding the PUD Site is zoned R-4 and consists mainly of residential row houses. Nearby commercial districts are located at Georgia Avenue, N.W. to the east and 14th Street, N.W. to the west of the PUD Site.
- 11. Public transportation serves the PUD Site well, with Metrobus stops along Monroe Street and adjacent streets. The Georgia Avenue/Petworth Metrorail Station is located a few blocks northeast of the site, and the Columbia Heights Metrorail Station is located a few blocks southwest of the site.

The PUD Project

- 12. The Applicant proposes to redevelop the existing building on the subject property into a condominium to be known as The Sage, containing seven ground-floor commercial units and 28 residential units, including 7 one-bedroom units, 19 two-bedroom units, and 2 three-bedroom units.
- 13. The Applicant proposes to renovate the existing building and add an additional two stories of residential units to the building. The height of the proposed building will be six stories and 64 feet. The gross floor area will be 46,038 square feet, which equals a floor area ratio ("FAR") of 3.85 on the lot area of 11,910 square feet. Lot occupancy of the existing building is 76 percent, and the Applicant does not proposed to change the building footprint.
- 14. The Applicant's plans include a rooftop recreational space so that the residents of the development can take advantage of views to the north, west, and south of the building. The roof plan incorporates a green roof and deck for residents. There will be three means of egress from the roof deck, including an elevator. The rooftop level of the building will also contain a small exercise room and a club room, both of which will serve as common amenities of the building for the residents.
- 15. Vehicular and loading access to the building will be located off the alley from 11th Street, south of the building. The Applicant proposes to create three parking spaces in the vehicular access area behind the building.
- 16. The exterior of the building will consist of precast stone in the front and an external insulating and finishing system ("EIFS"), which will provide accents for added energy efficiency and visual appeal, in the rear of the building. The renovated portion of the

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Z.C. ORDER NO. 05-18 CASE NO. 05-18 PAGE NO. 4

building will continue the existing pattern of brick and limestone quoining, window placement, keystones, and soldier course.

- 17. As addressed in the Applicant's Pre-Hearing Statement and in the testimony at the public hearing, the following public benefits and project amenities will be created as a result of this project.
 - a) Housing and Affordable Housing. The proposed PUD offers new, quality housing to the Columbia Heights neighborhood. Nine out of 28 units will be designated as affordable to people earning between 30 and 80 percent of the Area Median Income (AMI). The nine affordable housing units will consist of three one-bedroom units and six two-bedroom units, in accordance with Exhibit 57
 - b) Attractive Architecture, Urban Design, and Landscaping. The building is attractive for an affordable housing development, including traditional architecture with brick and limestone exterior and EIFS on the rear of the building. The Applicant proposes to extend the existing precast stone exterior to the added stories and continue the same stone quoining, keystones, and soldier course. At six stories and density of at 3.85 FAR, the building will be compatible in scale and design with the surrounding neighborhood.
 - c) Local Education and Social Services/Facilities. The Applicant has pledged donations of cash to Harriet Tubman Elementary School in the amount of \$100,000 and to Keely's District Boxing and Youth Center in the amount of \$20,000.
 - d) Minimal Transportation Impacts. The proposed development is not expected to generate increased traffic. The PUD Site is served by Metrobus with routes along Monroe Street and adjacent streets and is within walking distance of the Georgia Avenue/Petworth Metrorail Station and the Columbia Heights Metrorail Station.
 - e) Environmental Benefits. The Applicant proposes to create a green roof on the building. Green roof technology will improve the environmental efficiency of the building and help with storm water runoff. At least 50 percent of the roof will be a green roof, which will mitigate the higher (albeit existing) lot occupancy of the site.
- 18. The proposed PUD is not inconsistent with the Comprehensive Plan as indicated by the major themes discussed below:
 - a) Stabilizing and Improving the District's Neighborhoods. The proposed PUD will further a major theme of the Comprehensive Plan, "stabilizing and improving the District's neighborhoods." The existing building will be rehabilitated into an

- attractively designed condominium building with affordable housing. The proposed mix of commercial and residential uses will benefit and enhance the surrounding area and provide a positive contribution to the neighborhood.
- b) Land Use Element. The Generalized Land Use Map of the Comprehensive Plan designates the site for moderate-density residential development, and the subject property and parcels to the south are located within the C-2-A zone district. The requested C-3-A zoning with a PUD is not inconsistent with this land use classification.
- c) Ward 1 Element. The PUD will further objectives of the Comprehensive Plan by stimulating "the production of new and rehabilitated housing to meet all levels of need and demand in Ward 1" and providing for the housing needs of low- and moderate-income households, encouraging home ownership, and reducing the overall cost of housing for low- and moderate-income households in the ward.
- 19. The proposed PUD does not meet the minimum area requirement of § 2401.1 of the Zoning Regulations, because it is 3,090 square feet less than the 15,000 square feet minimum area requirement. The Commission finds that a waiver of the minimum area requirement is warranted in this case, in light of the public benefits and project amenities of the proposed PUD, which will devote at least 80 percent of its gross floor area exclusively for dwelling units and accessory uses.

Office of Planning Report

- 20. By report dated January 6, 2006 and by testimony presented at the public hearing, the Office of Planning ("OP") recommended approval of the application, stating that "[t]he extremely robust amenity package combined with the neighborhood need for redevelopment make this project a reasonable compromise between [the moderate- and medium-density residential zones]", the "proffered amenities are adequate to offset the allowable density increase of 3.85 FAR and can support a map amendment to achieve this density," and "the project has enough merit to justify the waiver of the 15,000-square-foot minimum lot area [requirement]."
- 21. OP identified several key public benefits and project amenities of the PUD, including creating affordable housing, providing the neighborhood with retail, improving local education, aiding local social programs, utilizing green roof technology, and providing low-cost office space to the local ANC. OP further stated that the PUD is "not inconsistent" with the Comprehensive Plan, noting compliance with the Generalized Land Use Map and various policies in major elements of the Plan, as well as consistency with several major themes of the Plan.

Reports of Other Agencies

22. The District Department of Transportation expressed no issues or concerns with the traffic impact of this proposed development.

Advisory Neighborhood Commission 1A

23. Advisory Neighborhood Commission 1A submitted a letter dated July 19, 2005 stating that they "emphatically and unanimously support the above referenced PUD application in that it faces no constituent opposition, enjoys overwhelming public support and contains superior public benefit and amenity to the Columbia Heights community." ANC 1A submitted a second letter, dated November 17, 2005, recommending approval of the PUD-related map amendment, stating that "[t]he relief requested by the applicant is overwhelmingly beneficial to the community, consistent with the intentions of the Comprehensive Plan and expressly authorized by the Planned Unit Development Procedures."

Other Community Comments

24. Letters in support of the PUD application were submitted to the record from the 1020 Monroe Street 2003 Tenants Association, several members of the District of Columbia Council, the Deputy Mayor for Planning and Economic Development, and individual community members.

CONCLUSIONS OF LAW

- 1. The PUD process is an appropriate means of controlling development of the site in a manner consistent with the best interests of the District of Columbia.
- 2. Pursuant to the Zoning Regulations, the PUD process is designed to encourage high-quality developments that provide public benefits. 11 DCMR § 2400.01. The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that the PUD project "offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare and convenience." 11 DCMR § 2400.02.
- 3. The Zoning Commission has the authority under the PUD process of the Zoning Regulations to consider this application as a consolidated PUD. The Commission may impose development conditions, guidelines, and standards that may exceed or be less than the matter-of-right standards identified for height, FAR, lot occupancy, parking, loading, yards, and courts. The Zoning Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the Board of Zoning Adjustment.

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- 4. The development of this PUD project will carry out the purposes of Chapter 24 of the Zoning Regulations to encourage well-planned developments that offer a variety of building types with more attractive and efficient overall planning and design not achievable under matter-of-right development.
- 5. Approval of the application is appropriate, because the proposed PUD is consistent with the present character of the area.
- 6. Approval of the PUD will be not inconsistent with the Comprehensive Plan.
- 7. The development of this PUD will be compatible with city-wide goals, plans, and programs and is sensitive to environmental considerations.
- 8. The Zoning Commission finds that the impact of the proposed PUD on the surrounding area and upon operation of city services and facilities is acceptable given the significance, quantity, and quality of public benefits cited in the Findings of Fact above.
- 9. The proposed PUD can be approved with conditions that ensure that the development will enhance the neighborhood and ensure neighborhood stability.
- 10. The Commission is required under D.C. Code Ann. § 1-309.10(d)(3)(A) (2001) to give great weight to the affected ANC's recommendation. The Commission has carefully considered ANC 1A's recommendations for approval and concurs in its recommendations.
- 11. The application for a PUD will promote the orderly development of the site in conformity with the entirety of the District of Columbia zone plan as embodied in the Zoning Regulations and Map of the District of Columbia.
- 12. The Applicant is subject to compliance with D.C. Law 2-38, The Human Rights Act of 1977.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia orders **APPROVAL** of the application for consolidated review of a planned unit development and related map amendment from C-2-A to C-3-A for Square 2840, Lot 820. This approval is subject to the following guidelines, conditions, and standards:

- 1. The PUD shall be developed in accordance with the plans prepared by PGN Architects, PLLC dated January 30, 2006, marked as Exhibit 57 in the record (the "Plans") as modified by the guidelines, conditions, and standards herein.
- 2. The subject property shall be rezoned from C-2-A to C-3-A.
- 3. The PUD shall be a mixed-use commercial and residential building consisting of approximately 46,038 square feet of gross floor area, with no more than 5,727 square feet of commercial space and 28 dwelling units. The Project shall not exceed a density of 3.85 FAR. The building shall not exceed a height of 64 feet, as measured in accordance with the Zoning Regulations.
- 4. The Applicant shall provide affordable housing as described in Exhibit 57, which, at a minimum, will consist of nine units (three one-bedroom and six two-bedroom units) to be sold to persons or families earning between 30 and 80 percent of the Area Median Income (AMI). To the extent that minor modifications are needed in the execution of the program to conform to District or Federal housing programs, the Applicant shall work with the Department of Housing and Community Development to make such changes to comply with the same.
- 5. The proposed PUD shall include three parking spaces.
- 6. The Applicant shall create a recreational roof structure in accordance with the Plans. The proposed roof shall incorporate green roof technology. The Applicant or its successors shall maintain all landscaping improvements in good condition.
- 7. The Applicant shall have flexibility with the design of the proposed PUD in the following areas:
 - a) To vary the location and design of all interior components of the building provided that the variations do not change the exterior configuration or appearance of the building;
 - b) To vary the final selection of the exterior materials within the color ranges and material types as proposed, without a reduction in quality, based on availability at the time of construction; and
 - c) To make minor refinements to exterior details and dimensions, including balcony enclosures, belt courses, sills, bases, cornices, railings and trim, or any other changes to comply with the construction codes or that are otherwise necessary to obtain a final building permit.

- 8. The Applicant shall provide a donation of \$100,000 to Harriet Tubman Elementary School and a donation of \$20,000 to Keely's District Boxing and Youth Center prior to the issuance of certificates of occupancy for the condominiums.
- 9. No building permit shall be issued for this PUD until the Applicant has recorded a covenant in the Land Records of the District of Columbia, between owners and the District of Columbia, that is satisfactory to the Office of the Attorney General and the Zoning Division of the Department of Consumer and Regulatory Affairs ("DCRA"). Such covenant shall bind the Applicant and all successors in title to construct on and use this property in accordance with this Order or amendment thereof by the Zoning Commission.
- 10. The Office of Zoning shall not release the record of this case to the Zoning Division of DCRA until the Applicant has filed a copy of the covenant with the records of the Zoning Commission.
- 11. The PUD approved by the Zoning Commission shall be valid for a period of two (2) years from the effective date of this Order. Within such time, an application must be filed for a building permit as specified in 11 DCMR § 2409.1. Construction shall begin within three (3) years of the effective date of this Order.
- 12. The Applicant is required to comply fully with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, as amended, and this Order is conditioned upon full compliance with those provisions. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01 et seq., (the "Act") the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, familial status, family responsibilities, matriculation, political affiliation, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. In addition, harassment based on any of the above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action. The failure or refusal of the Applicant to comply shall furnish grounds for the denial or, if issued, revocation of any building permits or certificates of occupancy issued pursuant to this Order.

The Zoning Commission at its public meeting held on February 23, 2006 approved the application, subject to conditions, by a vote of 3-0-2 (Carol J. Mitten, Anthony J. Hood, and Michael G. Turnbull to approve; Gregory N. Jeffries and John G. Parsons not participating, not voting).

The Order was adopted by the Zoning Commission at its public meeting on April 20, 2006 by a vote of 3-0-2 (Anthony J. Hood, Carol J. Mitten, and Michael G. Turnbull to approve; Gregory N. Jeffries and John G. Parsons not participating, not voting).

In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon publication in the *D.C. Register*; that is on ______.

DISTRICT OF COLUMBIA GOVERNMENT ASTRICT OF COLUMBIA REGISTER OFFICE OF THE SURVEYOR

Washington, D.C., June 3, 2005

Plat for Building Permit of SQUARE 2840 LOT 820

Scale: 1 inch = 30 feet

Recorded in A & T Book Page 1626

Receipt No.

20105

Furnished to:

WANDA SHERROD

I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plattand that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or recrease in part decreased to an area less than its restricted but the Zonica Requisitions for the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further cartified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon, it is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centering of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date:

(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue. Assessment Administration, and do not necessarily agree with deed description.

> MONROE STREET 820 ALLEY PUBLIC

6156

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